

REMARKS

Claims 1, 2, 4-6, 15, 16, 18, 19, and 21-40 are pending in the present application. Claims 26, 28, 35, and 38 are cancelled. Claims 3, 7-14, 17, and 20 were previously cancelled. Claims 1, 5, 15, 16, 18, 19, 21, and 22 are the independent claims. Claims 39 and 40 are new.

Statement Under 37 C.F.R. 1.133(b)

The Applicant thanks the Examiner for the telephonic interviews conducted February 11, 12, and 13, 2009 for the present application. The cited reference Kato (U.S. Patent Publication 2002/0145702) and claim 1 were discussed. In particular, paragraphs [0180], [0182] of Kato and FIGS. 6A and 6B of Kato were discussed and the portions of claim 1 "the data area storing multipath video data corresponding to a plurality of reproduction paths forming different versions of one title to be reproduced exclusively . . . wherein the first reproduction path and the second reproduction path include a common path referring to a same clip file." Features described in the patent application such as parental control versions were also discussed. While the Applicant and the Examiner reached no agreement with respect to the claims, the Examiner indicated that it did not appear to him that the Kato reference described the parental control versions discussed in the specification.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 2, 4-6, 15, 16, 18, 19, and 21-38 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication 2002/0145702 to Kato et al. ("Kato"). The Applicant respectfully traverses these rejections.

Claims 26, 28, 35, and 38 are cancelled without prejudice rendering their rejections moot.

A claim is anticipated only if each and every element as forth in the claim is found, either expressly or inherently described, in a single prior art reference. See MPEP Sec. 2131; *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2D 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir.1987).

The Applicant respectfully asserts that Kato does not teach or suggest all of the limitations set forth in the claims. For example, with respect to claim 1, claim 1 recites a computer readable recording medium having, among other things, "a data area storing multi-path video data corresponding to a plurality of reproduction paths forming different versions of one titled to be reproduced exclusively." The Applicant respectfully asserts that Kato does not teach or suggest the above-quoted limitation. The Office Action on page 3 asserts that Kato, at paragraphs [0180], [0182], and FIGS. 6A and 6B, describes the above-quoted feature. However, the Applicant respectfully disagrees.

FIGS. 6A and 6B illustrate a virtual play list comprised of parts of a real play list 1 and a real play list 2. Real play list 1 and real play list 2 comprise clip 1 and clip 2. This is also described in paragraph [0180]. However, nowhere in the FIGS. or the corresponding specification is it taught or suggested that the clip files or real play lists are different versions of one title. Rather, they are merely identified as play list 1 and 2 and clips 1 and 2.

Further, the above-quoted portion of claim 1 also recites that the different versions are to be reproduced exclusively. Therefore, either one or the other version is shown. In contrast to the "exclusively" language of claim 1, paragraph [0180]

specifically recites that both of the real play lists 1 and 2 and clips 1 and 2 are played. This teaching is in direct conflict with the claimed language which indicates one version is reproduced exclusively. For example, in paragraph [0180] of Kato it describes that the user specifies a preset domain in the real play list 1 as a playback domain and also specifies as the domain to be reproduced next a preset domain in the real play list 2. In other words, paragraph [0180] specifically recites that both play list 1 and play list 2 are played. This is in direct conflict to the language quoted above with respect to claim 1. For at least these reasons, the Applicant respectfully asserts that Kato does not teach or suggest all of the limitations set forth in independent claim 1.

For the reasons set forth above, the Applicant respectfully requests that the rejections under 35 U.S.C. 102 of claim 1 and its corresponding dependent claims be removed.

Further, the Applicant notes that similar language as that quoted above and discussed above with respect to claim 1 also appears in independent claims 5, 15, 16, 18, 19, 21, and 22 and therefore asserts that independent claims 5, 15, 16, 18, 19, 21, and 22 and their respective dependent claims are patentable because Kato does not teach all of the limitations set forth in these claims for reasons similar to that described above. Therefore, the Applicant respectfully requests that the rejection under 35 U.S.C. 102 of claims 1, 2, 4-6, 15, 16, 18, 19, 21-25, 27, 29-34, 36, and 37 be removed.

The Applicant notes that new dependent claims 39 and 40 have been added. Dependent claims 39 and 40 discuss a parental control information and parental control version and are patentable over Kato at least by reason of their dependency

upon claim 1 and further they are patentable over Kato for their own merits for the reasons discussed in the interview with the Examiner mentioned above.

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CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each pending claim in connection with the present application is earnestly solicited.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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